

01/03/01
1695 U.S. PTOJC970 U.S. P
09/752464

01/03/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 826.1662

First Named Inventor or Application Identifier:

Hideki YAMANAKA

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, DC 20231

1. Fee Transmittal Form
2. Specification, Claims & Abstract [Total Pages: 69]
3. Drawing(s) (35 USC 113) [Total Sheets: 14]
4. Oath or Declaration [Total Pages: 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed)
 - i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. Applicant claims small entity status.
6. Incorporation by Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. Microfiche Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449[2] Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed) (JPA 2000-040009, filed February 17, 2000)
16. Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No: /

18. CORRESPONDENCE ADDRESS



21171

PATENT TRADEMARK OFFICE

Staas & Halsey LLP

**NEW APPLICATION
FEE TRANSMITTAL**

| | | | |
|-----------------|------------|----------------------|-----------------|
| | | Attorney Docket No. | 826.1662 |
| | | Application Number | To be assigned |
| | | Filing Date | January 3, 2001 |
| AMOUNT ENCLOSED | \$1,550.00 | First Named Inventor | Hideki YAMANAKA |

FEE CALCULATION (fees effective 10/01/00)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|--|------------------|------------------|-------------------------------|------------------|
| | TOTAL CLAIMS | 20 - 20 = | 0 | X \$ 18.00 = | \$ |
| | INDEPENDENT CLAIMS | 13 - 3 = | 10 | X \$ 80.00 = | 800.00 |
| | MULTIPLE DEPENDENT CLAIMS (any number; if applicable) | | | + \$270.00 = | |
| | | | | BASIC FILING FEE | 710.00 |
| | | | | Total of above Calculations = | \$ 1,510.00 |
| | Surcharge for late filing fee, Statement or Power of Attorney (\$130.00) | | | + | |
| | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28). | | | - | |
| | | | | TOTAL FILING FEE = | \$ 1,510.00 |
| | Surcharge for filing non-English language application (\$130.00; 37 CFR 1.52(d)) | | | + | |
| | Recordation of Assignment (\$40.00; 37 CFR 1.21(h)(1)) | | | | 40.00 |
| | | | | TOTAL FEES DUE = | \$ 1,550.00 |

METHOD OF PAYMENT

- Check enclosed as payment.
 Charge "TOTAL FEES DUE" to the Deposit Account No., below.
 No payment is enclosed and no charges to the Deposit Account are authorized at this time.

GENERAL AUTHORIZATION

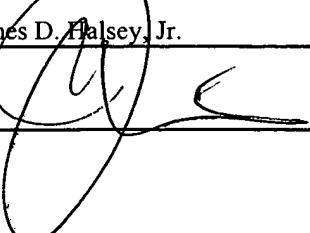
- If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No. 19-3935

Deposit Account Name STAAS & HALSEY LLP

- The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

| | | | |
|------------|---|----------|-----------------|
| Typed Name | James D. Halsey, Jr. | Reg. No. | 22,729 |
| Signature |  | Date | January 3, 2001 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For: **COMMUNICATING SYSTEM AND COMMUNICATING METHOD FOR CONTROLLING THROUGHPUT**

**SUBMISSION OF CERTIFIED COPY OF PRIOR FOREIGN
APPLICATION IN ACCORDANCE
WITH THE REQUIREMENTS OF 37 C.F.R. §1.55**

*Assistant Commissioner for Patents
Washington, D.C. 20231*

Sir:

In accordance with the provisions of 37 C.F.R. §1.55, the applicant submits herewith a certified copy of the following foreign application:

Japanese Patent Application No. 2000-040009
Filed: February 17, 2000.

It is respectfully requested that the applicant be given the benefit of the foreign filing date as evidenced by the certified papers attached hereto, in accordance with the requirements of 35 U.S.C. §119.

Respectfully submitted,

STAAS & HALSEY LLP

By: _____

James D. Halsey, Jr.
Registration No. 22,729

700 11th Street, N.W., Ste. 500
Washington, D.C. 20001
(202) 434-1500
Date: January 3, 2001

PATENT OFFICE
JAPANESE GOVERNMENT

This is to certify that the annexed is a true copy of the following application as filed with this Office.

Date of Application: February 17, 2000

Application Number: Patent Application
No. 2000-040009

Applicant(s): FUJITSU LIMITED

September 29, 2000

Commissioner,
Patent Office Kozo Oikawa

Certificate No. 2000-3079669